

JONATHAN O. PENA, ESQ.
CA Bar ID No. 278044
Peña & Bromberg, PLC
2440 Tulare St., Suite 320
Fresno, CA 93721
Telephone: 559-412-5390
Fax: 866-282-6709
info@jonathanpena.com
Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

Ernie Arthur Jaime,
Plaintiff,

vs.

Kilolo Kijakazi, Acting
Commissioner of Social Security,
Defendant.

Case No. 1:21-cv-01672-SKO
STIPULATION AND ORDER FOR
EXTENSION OF TIME
(Doc. 11)

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from May 26, 2022 to July 25, 2022, for Plaintiff to serve on defendant with Plaintiff's Motion for Summary Judgment. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's first request for an extension of time. Good cause exists for this extension. First, Counsel for the Plaintiff underwent major orthopedic surgery on March 17, 2022, and is dealing with post-operation pain and the

1 secondary effects of medications; and as a result, is working short periods
2 throughout the day with significant breaks throughout. Counsel will also undergo
3 12 weeks of physical therapy, four days a week.

4 Secondly, as this Court is well aware, Social Security case filings in federal
5 court increased due to a combination of factors including an increase in appeals
6 council decisions and an increase in hearings at the administrative levels. Then, as
7 a result of the pandemic, shelter-in-place mandates, and Court ordered Stays, there
8 were significant delays in producing transcripts. In recent months, Counsel for the
9 Plaintiff has received a greater-than-usual number of Answers and Certified
10 Administrative Records from defendant including over 56 cases in February and
11 March of 2022.

12 For the week of May 23, 2022 through the end of May 2022, Counsel for
13 Plaintiff has seven merit briefs, and several letter briefs and reply briefs. For the
14 month of June 2022, there are over 45 merit briefs currently scheduled.

15 Defendant does not oppose the requested extension. Counsel apologizes to
16 the Defendant and Court for any inconvenience this may cause.

17
18 Respectfully submitted,

19 Dated: May 21, 2022

PENA & BROMBERG, ATTORNEYS AT LAW

20
21 By: /s/ Jonathan Omar Pena
22 JONATHAN OMAR PENA
23 Attorneys for Plaintiff

24
25 Dated: May 22, 2022

26 PHILLIP A. TALBERT
27 United States Attorney
28 PETER K. THOMPSON
Acting Regional Chief Counsel, Region IX
Social Security Administration

1
2 By: * Margaret Lehrkind, Esq.
3 Margaret Lehrkind, Esq.
4 Special Assistant United States Attorney
5 Attorneys for Defendant
6 (*As authorized by email on May 22, 2022)

7 **ORDER**

8
9 Based upon the foregoing stipulation of the parties (Doc. 11), and for good
10 cause shown (Fed. R. Civ. P. 16(b)(4)),

11 IT IS HEREBY ORDERED that Plaintiff shall have an extension of time, to
12 and including July 25, 2022, in which to file Plaintiff's motion for summary
13 judgment. All other deadlines set forth in the Scheduling Order (Doc. 9) shall be
14 extended accordingly.

15
16 IT IS SO ORDERED.

17 Dated: May 24, 2022

18 /s/ Sheila K. Oberto
19 UNITED STATES MAGISTRATE JUDGE
20
21
22
23
24
25
26
27
28